

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/509,166	APPLEYARD, ROBERT	
	Examiner	Art Unit	
	Pascal M. Bui-Pho	2878	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 19 September 2007.
2. ☒ The allowed claim(s) is/are 1-12, 17-32, 34-52, 57 and 109.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

**QUE TAN LE**  
**PRIMARY EXAMINER**

## DETAILED ACTION

### *Examiner's Amendment*

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- In **Claim 59**, on line 14, "laser" has been changed to --laser beam--.

### *Allowable Subject Matter*

2. Claims 1-12, 17-32, 34-52, 57-109 are allowed over prior arts.

The following is an Examiner's statement of reasons for allowance:

**With regards to claims 1 and 32**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a safety system for an industrial press having a moveable section defining a leading edge and a stationary section, the safety system including, among other features, a controller further adapted to decelerate the moveable section from a first speed to a second speed with a deceleration zone, said zone defined between a first point at which the first planar beam passes a speed control point and a second point at which the second planar beam passes the speed control point, wherein the first and second speeds of the moveable section are measured at the first and second points, respectively.

**With regards to claim 57**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a method of operating a safety system for an industrial press having a moveable section and a stationary section, the safety system providing a plurality

of continuous planar laser beams having a generally constant lateral width, each laser beam being located between the moveable and stationary sections of the industrial press and spaced at varying distances from the moveable section such that a first laser beam is spaced further from the moveable section than a second laser beam, the first and second laser beams defining a deceleration zone, the method including, among other steps, measuring a first speed of the moveable section as the first laser beam reaches a speed control point; and measuring a final crawl speed of the moveable section as the second laser reaches the speed control point.

**With regards to claim 58**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a method of operating a safety system for an industrial press having a moveable section and a stationary section, the safety system providing a plurality of continuous planar laser beams having a generally constant lateral width, each laser beam being spaced at varying distances from the moveable section, the method including, among other steps, muting each laser beam as it passes the speed control point such that intersection of the laser beam by an object will not prevent motion of the moveable section.

**With regards to claim 59**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a method of operating a safety system for an industrial press having a moveable section and a stationary station, the safety system providing a plurality of rectilinear laser beams having rectilinear cross-sections of generally constant lateral width and generally constant depth, each rectilinear laser beam being spaced at varying distances from the moveable section, the method including, among other steps, measuring a first speed of the moveable section as the first laser beam reaches a speed control point; and measuring a second speed of the moveable section as the second laser beam reaches the speed control point.

**With regards to claim 60**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a method of operating a safety system for an industrial press having a moveable section and a stationary section, the safety system providing a plurality of rectilinear laser beams having rectilinear cross-sections of generally constant lateral width and generally constant depth, each rectilinear laser beam being spaced at varying distances from the moveable section, the method including, among other steps, progressively muting each rectilinear laser beam as it progressively passes the speed control point such that intersection of a muted portion of the rectilinear laser beam by an object will not prevent motion of the moveable section.

**With regards to claim 61**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a safety system for an industrial press having a moveable section, the safety system including, among other features, a plurality of planar laser beams being muted as each of said beams passes a speed control point such that intersection of the planar laser beam by the object will not prevent motion of the moveable section.

**With regards to claim 74**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a safety system for an industrial press having a moveable section, the safety system including, among other features, a rectilinear beam progressively muted as said beam progressively passes a speed control point such that intersection of the rectilinear beam at a muted portion of the rectilinear beam by an object will not prevent motion of a moveable section.

**With regards to claim 93**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a safety system for an industrial press having a

moveable section, the safety system including, among other features, a rectilinear beam further including a rectilinear portion of depth sufficient to span from a proximate face to a partial intersection with a leading edge of the moveable section, said rectilinear portion having the generally constant lateral width, wherein a light receiver further includes light receiving elements corresponding to the rectilinear portion, such that the light receiving elements corresponding to an area where the moveable section intersects the rectilinear portion do not function to prevent movement of the moveable section.

The remaining non-cited claims are allowed due at least to their dependency upon an allowable base claim.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

I) Fiessler (US 6,752,253) discloses a guard device for machines such as press brakes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Pascal M. Bui-Pho whose telephone number is (571) 272-2714. The Examiner can normally be reached on Monday through Friday: 8:30 a.m. - 5:00 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Pascal M. Bui-Pho  
Examiner, Art Unit 2878  
03 October 2007